

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**IN RE:
JOHN C SOELL**

Debtor

) **CASE NO: 17-42045-659**
) **Chapter 13**
)
) **Trustee's Objection to Confirmation**
) **Original Confirmation Hearing set for:**
) **May 18, 2017 11:00 am**

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. Debtor lacks sufficient income to fund the plan.
2. The plan is ambiguous or incapable of ascertainment (11 U.S.C. §§ 1321 & 1325(a)(3)) because:
Paragraph 5C does not contain a repayment period.
3. With the Lindell Bank and Kay Jewelers proofs of claim as filed, the plan falls \$42,00 short of paying secured and priority debt in full.
4. Statement of Affairs question #1 indicates Debtor is single and questions 4 and 5 fail to list prior income for spouse, but per 341 testimony Debtor has been married for one year and the 2016 tax return shows income for his spouse in 2016.
5. The B21 form filed with the Court contains a typographical error.
6. The 2015 tax return depreciates a Ford Mustang and does not indicate that the Mustang was sold in 2016, but the vehicle is not listed on Schedule A/B nor does the Statement of Affairs indicate transfer of this vehicle.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: May 24, 2017

OBJCONF-AF--DSD

/s/ Diana S. Daugherty

Diana S. Daugherty
Standing Chapter 13 Trustee
P.O. Box 430908
St. Louis, MO 63143
(314) 781-8100 Fax: (314) 781-8881
trust33@ch13stl.com

The undersigned hereby certifies that the above notice was served on this day of May 24, 2017, either through the Court's ECF system or by ordinary mail, postage pre-paid, addressed to:

/s/ Diana S. Daugherty

JOHN C SOELL
708 SHADOW PINE DR
FENTON, MO 63026-8309

LAW OFFICES OF SEAN C PAUL
8917 GRAVOIS RD
ST LOUIS, MO 63123